

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

September 9, 2005

Loretta G. Whyte, Clerk
C-151 U.S. Courthouse
500 Poydras Street
New Orleans, LA 70130-3367

Re: MDL-1657 -- In re Vioxx Products Liability Litigation

(See Attached Schedule CTO-22)

Dear Ms. Whyte:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 24, 2005. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 

Deputy Clerk

Attachments

cc: Transferee Judge: Judge Eldon E. Fallon
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

WPA

AUG 24 2005

FILED
CLERK'S OFFICE

DOCKET NO. 1657

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-22)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,259 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP - 9 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-22 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A. #CASE CAPTION

ALABAMA NORTHERN

ALN 2 05-1505

Bonnie Morrow v. Merck & Co., Inc.

ALN 6 05-1512

Patricia Sutherland v. Merck & Co., Inc., et al.

ALABAMA SOUTHERN

~~ALS 2 05-425~~~~Marquerite Woods v. Merck & Co., Inc., et al. Opposed 9/9/05~~

ARKANSAS WESTERN

ARW 6 05-6052

Betty Featherston, et al. v. Merck & Co., Inc.

CALIFORNIA NORTHERN

CAN 3 05-2881

Peggy Johnson v. Merck & Co., Inc., et al.

CAN 3 05-2894

David McArthur v. Merck & Co., Inc.

FLORIDA MIDDLE

FLM 3 05-683

Carol Lee Watkins v. Merck & Co., Inc.

FLM 3 05-684

Brenda Schneble v. Merck & Co., Inc.

FLM 3 05-685

Jacqueline Silva, etc. v. Merck & Co., Inc., et al.

FLM 3 05-686

Ann Danziger, et al. v. Merck & Co., Inc., et al.

FLORIDA SOUTHERN

FLS 9 05-80662

Alice Thomashefski v. Merck & Co., Inc.

ILLINOIS NORTHERN

~~ILN 1 05-4103~~~~Norbert Cipowski, etc. v. Merck & Co., Inc., et al. Opposed 9/8/05~~

ILLINOIS SOUTHERN

ILS 3 05-508

Betty Herrick v. Merck & Co., Inc.

KENTUCKY WESTERN

KYW 1 05-100

Sharron Haynes v. Merck & Co., Inc.

LOUISIANA MIDDLE

LAM 3 05-965

Aujest Cheramie v. Merck & Co., Inc.

MAINE

ME 1 05-111

Carol Lally v. Merck & Co., Inc.

MINNESOTA

MN 0 05-1407

John Utke v. Merck & Co., Inc.

MN 0 05-1466

Connie S. Bell v. Merck & Co., Inc.

MN 0 05-1475

Elizabeth M. Skofich v. Merck & Co., Inc.

MN 0 05-1534

Marjorie J. Savoie v. Merck & Co., Inc.

MISSOURI EASTERN

MOE 4 05-1129

Geraldine Moore, et al. v. Merck & Co., Inc., et al.

MOE 4 05-1161

John Fischer v. Merck & Co., Inc.

MOE 4 05-1164

Robert O'Conner v. Merck & Co., Inc.

DIST. DIV. C.A. #

CASE CAPTION

MISSISSIPPI NORTHERN
MSN 1 05-176

Dora Prince v. Merck & Co., Inc.

MISSISSIPPI SOUTHERN
MSS 3 05-435

Kathy DeKay, et al. v. Merck & Co., Inc.

MONTANA
MT 2 05-47

Stanley Hanson, et al. v. Merck & Co., Inc.

NORTH CAROLINA EASTERN
NCE 7 05-138

Daisy Stevens v. Merck & Co., Inc.

NEBRASKA
NE 8 05-361

Terry Price v. Merck & Co., Inc.

NEW MEXICO
NM 1 05-597

Kirk Bailey, etc. v. Merck & Co., Inc.

NEW YORK EASTERN
NYE 1 05-3336
NYE 1 05-3337
NYE 1 05-3391

Teresa Binkowska v. Merck & Co., Inc.
Anna Lambropoulos, et al v. Merck & Co., Inc.
Mark Bergman v. Merck & Co., Inc., et al.

NEW YORK SOUTHERN
NYS 1 05-6630

Gene Stein v. Merck & Co., Inc.

OHIO NORTHERN
OHN 4 05-1512

Frank W. Bodak, et al. v. Merck & Co., Inc.

OHIO SOUTHERN
OHS 2 05-648
OHS 2 05-680
OHS 2 05-694

Glenna M. Moyer, et al. v. Merck & Co., Inc.
Thomas Holowitz v. Merck & Co., Inc.
Kathy Melvin-Knodel, etc. v. Merck & Co., Inc.

OREGON
OR 3 05-1105

Robert Kanable v. Merck & Co., Inc.

PENNSYLVANIA EASTERN

PAE 2 05-3560
PAE 2 05-3681
PAE 2 05-3684
PAE 2 05-3693
PAE 2 05-3696
PAE 2 05-3740
PAE 2 05-3773
PAE 2 05-3832

Louis LaPila, et al. v. Merck & Co., Inc., et al.
Linda Gates, et al. v. Merck & Co., Inc.
Richard M. Armour, et al. v. Merck & Co., Inc.
Diana M. Trakimas v. Merck & Co., Inc.
Karen S. Krout, et al. v. Merck & Co., Inc.
Milo Magnan, et al. v. Merck & Co., Inc., et al.
Sharon McClinton Jones, etc. v. Merck & Co., Inc., et al.
Barbara Salyers v. Merck & Co., Inc., et al.

PENNSYLVANIA WESTERN

PAW 3 05-306

Donald Graham, Sr., etc. v. Merck & Co., Inc.

RHODE ISLAND

RI 1 05-325

Shirley Asan v. Merck & Co., Inc.

DIST. DIV. C.A. #

CASE CAPTION

TENNESSEE WESTERN

TNW 1 05-1168	John J. Stockton, et al. v. Merck & Co., Inc.
TNW 1 05-1209	LeRoyce Wallace, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1210	Tilda N. Simmons v. Merck & Co., Inc., et al.
TNW 1 05-1211	James H. Oliver, et al. v. Merck & Co., Inc., et al.
TNW 2 05-2534	Edmund Raines v. Merck & Co., Inc., et al.

TEXAS EASTERN

TXE 2 05-335	Larry G. Burdett, et al. v. Merck & Co., Inc., et al.
TXE 2 05-336	Charleen R. Hranicky, et al. v. Merck & Co., Inc., et al.

TEXAS SOUTHERN

TXS 1 05-210	Jackie Roberts, etc. v. Juan Marcos Garcia, M.D., et al. Opposed 9/8/05
TXS 4 05-2556	John O'Neill, et al. v. Merck & Co., Inc.

TEXAS WESTERN

TXW 1 05-531	Ronald D. Boyd, et al. v. Merck & Co., Inc.
TXW 1 05-540	Marilyn J. Walters v. Merck & Co., Inc.
TXW 3 05-270	Martin Galindez v. Merck & Co., Inc.

WASHINGTON EASTERN

WAE 2 05-221	John Stephen Moore, et al. v. Merck & Co., Inc.
--------------	---

INVOLVED JUDGES LIST (CTO-22)
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

Hon. Henry Lee Adams, Jr.
U.S. District Judge
United States District Court
11-200 U.S. Courthouse
300 N. Hogan Street
Jacksonville, FL 32202-4245

Hon. William H. Barbour, Jr.
U.S. District Judge
430 James O. Eastland U.S.
Courthouse
245 East Capitol Street
Jackson, MS 39201

Hon. James J. Brady
U.S. District Judge
369 Russell B. Long Federal Bldg.
777 Florida Street
Baton Rouge, LA 70801-1712

Hon. Frederick R. Buckles
U.S. Magistrate Judge
U.S. District Court
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street
St. Louis, MO 63102-9958

~~Hon. Elaine E. Buckle~~
~~U.S. District Judge~~
~~Everett McKinley Dirksen~~
~~U.S. Courthouse~~
~~219 South Dearborn Street~~
~~Chicago, IL 60604~~

Hon. Maxine M. Chesney
U.S. District Judge
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Hon. Robert T. Dawson
U.S. District Judge
U.S. District Court
P.O. Box 1624
Fort Smith, AR 72902-1624

Hon. Peter C. Economus
U.S. District Judge
313 Federal Building & U.S.
Courthouse
125 Market Street, Room 313
Youngstown, OH 44503

Hon. Keith P. Ellison
U.S. District Judge
Bob Casey U.S. District Court
515 Rusk Street
Room 8631
Houston, TX 77002

Hon. Patricia C. Fawsett
Chief Judge, U.S. District Court
611 George C. Young U.S. Courthouse
80 North Hughey Avenue
Orlando, FL 32801

Hon. Louise Wood Flanagan
Chief Judge, U.S. District Court
U.S. District Court
413 Middle Street
New Bern, NC 28560

Hon. Donovan W. Frank
U.S. District Judge
738 Warren E. Burger Federal Bldg.
316 North Robert Street
St. Paul, MN 55101

Hon. Gregory L. Frost
U.S. District Judge
349 Joseph P. Kinneary U.S. Courthouse
85 Marconi Boulevard
Columbus, OH 43215

Hon. John P. Fullam
Senior U.S. District Judge
15614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1780

Hon. Kim R. Gibson
U.S. District Judge
U.S. District Court
104 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901

~~Hon. Callie V.S. Granade~~
~~Chief Judge, U.S. District Court~~
~~123 John A. Campbell U.S. Courthouse~~
~~113 St. Joseph Street~~
~~Mobile, AL 36602-3621~~

Hon. Clifford Scott Green
Senior U.S. District Judge
15613 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. Sam E. Haddon
U.S. District Judge
United States Post Office Bldg.
215 First Avenue, North
Great Falls, MT 59401

Hon. Ancer L. Haggerty
Chief Judge, U.S. District Court
1307 Mark O. Hatfield U.S. Courthouse
1000 SW Third Avenue
Portland, OR 97204-2902

Hon. David R. Herndon
U.S. District Judge
P.O. Box 259
E. St. Louis, IL 62202-0259

Hon. D. Brock Hornby
U.S. District Judge
Edward T. Gignoux Federal Courthouse
156 Federal Street
Portland, ME 04101

Hon. Inge P. Johnson
U.S. District Judge
361 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Hon. Sterling Johnson, Jr.
Senior U.S. District Judge
U.S. Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Hon. Richard G. Kopf
U.S. District Judge
586 Robert V. Denney U.S. Courthouse
100 Centennial Mall North
Lincoln, NE 68508

Hon. Mary M. Lisi
U.S. District Judge
310 John O. Pastore Federal Bldg.
Two Exchange Terrace
Providence, RI 02903

Hon. Gerard E. Lynch
U.S. District Judge
910 Daniel Patrick Moynihan U.S.
Courthouse
500 Pearl Street
New York, NY 10007

Hon. Jon P. McCalla
U.S. District Judge
907 Clifford Davis Federal Bldg.
167 Federal Building
Memphis, TN 38103

Hon. Michael P. Mills
U.S. District Judge
335 Federal Bldg. & U.S. Courthouse
911 Jackson Avenue, West
Oxford, MS 38655

Hon. Frank Montalvo
U.S. District Judge
U.S. Courthouse
511 East San Antonio Avenue
El Paso, TX 79901

Hon. John H. Moore, II
Senior U.S. District Judge
300 N. Hogan Street
Suite 11-400
Jacksonville, FL 32202

Hon. Clarence C. Newcomer
Senior U.S. District Judge
13614 James A. Byrne U.S.
Courthouse
601 Market Street
Philadelphia, PA 19106-1778

Hon. David D. Noce
U.S. Magistrate Judge
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street
St. Louis, MO 63102-9958

Hon. Robert B. Propst
Senior U.S. District Judge
P.O. Box 820
Anniston, AL 36202

Hon. Justin L. Quackenbush
Senior U.S. District Judge
P.O. Box 1432
Spokane, WA 99210

Hon. Eduardo C. Robreno
U.S. District Judge
11614 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1745

Hon. James M. Rosenbaum
Chief Judge, U.S. District Court
15E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. Thomas B. Russell
U.S. District Judge
307 Federal Building
501 Broadway Street
Paducah, KY 42001

Hon. Kenneth L. Ryskamp
Senior U.S. District Judge
416 Federal Building
701 Clematis Street
West Palm Beach, FL 33401

Hon. Edmund A. Sargus, Jr.
U.S. District Judge
302 Joseph P. Kinneary
U.S. Courthouse
85 Marconi Boulevard
Columbus, OH 43215

Hon. Berle M. Schiller
U.S. District Judge
5918 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

Hon. W. Daniel Schneider
U.S. Magistrate Judge
720 U.S. States Courthouse
333 Lomas Blvd., N.W.
Albuquerque, NM 87102

Hon. Joseph C. Spero
U.S. Magistrate Judge
Philip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

~~Hon. Hilda G. Tagle~~
~~U.S. District Judge~~
~~Federal Building & U.S. Courthouse~~
~~#306~~
~~600 East Harrison Street~~
~~Brownsville, TX 78520~~

Hon. James D. Todd
Chief Judge, U.S. District Court
444 U.S. Courthouse
111 South Highland Ave.
Jackson, TN 38301

Hon. John R. Tunheim
U.S. District Judge
13E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. T. John Ward
U.S. District Judge
United States District Court
100 E. Houston Street
Marshall, TX 75670

Hon. Lee Yeakel
U.S. District Judge
U.S. Courthouse
200 W. 8th Street
Suite 200
Austin, TX 78701

INVOLVED CLERKS LIST (CTO-22)
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

Arlen B. Coyle, Clerk
U.S. District Court
P.O. Box 704
Aberdeen, MS 39730-0704

~~Charles R. Diard, Jr., Clerk~~
~~123 John A. Campbell U.S. Courthouse~~
~~113 St. Joseph Street~~
~~Mobile, AL 36602-3621~~

Christopher R. Johnson, Clerk
U.S. District Court
P.O. Drawer I
Hot Springs, AR 71902-1979

Clarence Maddox, Clerk
Federal Courthouse Square
301 North Miami Avenue
Miami, FL 33128-7788

David A. DiMarzio, Clerk
356 John O. Pastore Federal Building
Two Exchange Terrace
Providence, RI 02903

David J. Maland, Clerk
100 East Houston Street
#125
Marshall, TX 75670-4144

Denise Lucks, Clerk
1152 Roman L. Hruska
U.S. Courthouse
111 South 18th Plaza
Omaha, NE 68102-1322

Donald M. Cinnamond, Clerk
740 Mark O. Hatfield U.S.
Courthouse
1000 Southwest Third Avenue
Portland, OR 97204-2902

Fred Borch, Clerk
U.S. District Court
P.O. Box 25670
Raleigh, NC 27611

Geri M. Smith, Clerk
337 Thomas D. Lambros Federal
Building & U.S. Courthouse
125 Market Street
Youngstown, OH 44503-1787

J. Michael McMahon, Clerk
Daniel Patrick Moynihan
U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

J.T. Noblin, Clerk
P.O. Box 23552
Jackson, MS 39225-3552

James Bonini, Clerk
260 Joseph P. Kinneary U.S. Courthouse
85 Marconi Boulevard
Columbus, OH 43215

James R. Larsen, Clerk
U.S. District Court
P.O. Box 1493
Spokane, WA 99210

James Woodward, Clerk
3300 Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street
St. Louis, MO 63102

Jeffrey A. Apperson, Clerk
120 Federal Building
241 East Main Street
Bowling Green, KY 42101

Lawrence Talamo, Clerk
U.S. District Court
139 Russell B. Long Federal Building
777 Florida Street
Baton Rouge, LA 70801-1712

Michael E. Kunz, Clerk
2609 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

~~Michael N. Milby, Clerk~~
~~101 Federal Building & U.S. Courthouse~~
~~600 East Harrison Street~~
~~Brownsville, TX 78522-7114~~

Michael N. Milby, Clerk
United States District Court
P.O. Box 61010
Houston, TX 77208-1010

~~Michael W. Dobbins, Clerk~~
~~Everett McKinley Dirksen U.S. Courthouse~~
~~219 South Dearborn Street~~
~~Chicago, IL 60604~~

Norbert G. Jaworski, Clerk
U.S. District Court
P.O. Box 249
E. St. Louis, IL 62202-0249

Patrick E. Duffy, Clerk
273 Federal Building
400 North Main Street
Butte, MT 59701

Perry D. Mathis, Clerk
140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Richard W. Wieking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Robert C. Heinemann, Clerk
130 United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Robert M. March, Clerk
U.S. Courthouse
333 Lomas Boulevard, N.W.
Albuquerque, NM 87102

Robert R. Di Trollo, Clerk
262 U.S. Courthouse
111 South Highland Avenue
Jackson, TN 38301

Robert R. Di Trollo, Clerk
242 Clifford Davis Federal Building
167 North Main Street
Memphis, TN 38103

Robert V. Barth, Jr., Clerk
U.S. District Court
208 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901

Sheryl L. Loesch, Clerk
U.S. District Court
311 West Monroe Street
Jacksonville, FL 32201

William G. Putnicki, Clerk
U.S. Courthouse
200 West 8th Street
Austin, TX 78701

William G. Putnicki, Clerk
350 U.S. Courthouse
511 East San Antonio Street
El Paso, TX 79901-2401

William S. Brownell, Clerk
P.O. Box 1007
Bangor, ME 04402

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

2005 SEP 12 P 3 15

FILED

RECEIVED

SEP 12 2005

David A. DiMarzio, Clerk of Court
U.S. District Court
District of Rhode Island